

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

KRISTIN WORTH, *et al.*,

Plaintiffs-Appellees,

v.

No. 23-2248
(0:21-cv-01348-KMM-LIB)

BOB JACOBSON, in his individual
capacity and in his official capacity as
Commissioner of the Minnesota
Department of Public Safety *et al.*,

Defendant-Appellant.

**APPELLANT’S MOTION FOR EXTENSION OF TIME TO FILE BRIEF
OPPOSING MOTION TO SUPPLEMENT THE RECORD**

Commissioner Bob Jacobson (Appellant) respectfully moves the United States Court of Appeals for the Eighth Circuit for a 14-day extension of time for the filing of his brief in response to Appellees’ motion to supplement the record. Under the current briefing schedule, Appellant’s brief is due this Friday, December 15. Under the requested 14-day extension, Appellant’s brief would be due on or before December 29, 2023.

The requested extension is warranted because of the competing obligations of Appellant’s counsel. Appellees’ motion was unexpected, and Appellant’s counsel were not given any advance notice of it. Therefore they could not have allotted time for it. Furthermore, the short turnaround time required by the rules fell during a period where the Solicitor General is fully engaged in briefing at the Minnesota

Supreme Court and the United States Supreme Court, and in the week since Appellees' motion was filed her co-counsel had six depositions as well as preparations for the same, and oral argument and motion briefing in two separate matters. These competing obligations constitute good cause. Finally, the requested extension will not prejudice either the Court or the parties, as the Court assigned the panel to consider this motion and argument has not yet been scheduled.

For these reasons, Appellant respectfully requests the Court grant its motion for a 14-day extension for filing its opposition brief, which would be due on or before December 29, 2023.

Dated: December 13, 2023

Respectfully submitted,

KEITH ELLISON
Attorney General
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s/ **Amanda Prutzman**
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CERTIFICATE OF COMPLIANCE

1. This [describe] complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because this motion contains 233 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word 365 in 14 pt Times New Roman font.

s/ Amanda Prutzman

AMANDA PRUTZMAN
Assistant Attorney General

CERTIFICATE OF COMPLIANCE WITH 8th Cir. R. 28A(h)(2)

The undersigned, on behalf of the party filing and serving this brief, certifies that the brief has been scanned for viruses and that the brief is virus-free.

s/ Pamela J. Hewitt

PAMELA J. HEWITT
Legal Secretary